

### REMARKS

The Official Action dated June 19, 2001 has been carefully considered. Accordingly, the changes presented herewith, taken with the following remarks, are believed sufficient to place the present application in condition for allowance. Reconsideration is respectfully requested.

By the present Amendment, the specification at page 1, line 6 and claim 22 are amended for matter of forms. Claim 22 is also amended in the preamble to clarify the claimed method. Claim 41 is amended to depend from claim 22. A Version With Markings Showing Changes Made is attached. It is believed that these changes do not involve any introduction of new matter, whereby entry is believed to be in order and is respectfully requested.

In the Official Action, the Examiner asserted that claim 28 is not available for action. Specifically, the Examiner asserted that along with a request for filing a CPA, Applicant submitted a Preliminary Amendment wherein claim 28 was canceled.

Applicants note that claim 28 remains pending in the prosecution. The advisory action dated April 11, 2000 indicated that the Examiner did not enter the proposed Amendment of April 5, 2000, which would have canceled claim 28. The Preliminary Amendment file May 4, 2000 did not cancel claim 28. Therefore, claim 28 is pending in the present application.

The Examiner objected to claim 41 as being directed to a non-elected invention. Specifically, the Examiner asserted that the original claims are drawn to a method for treating a patient for insulin resistance having metabolic syndrome, whereas claim 41 is drawn to a method for increasing insulin sensitivity.